

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

GISELE NIBLOCK,

Plaintiffs,

v.

KITTITAS COUNTY, a political
subdivision of the State of
Washington; and DEANN PANATTONI,
individually and in her official
capacity as the Kittitas County
Treasurer,

Defendants.

NO. CV-09-3085-EFS

**ORDER DISMISSING ACTION
PURSUANT TO FEDERAL RULE OF
CIVIL PROCEDURE 25(a)(1),
ENTERING JUDGMENT, and
CLOSING FILE**

Plaintiff Gisele Niblock passed away in the fall of 2009. Plaintiff's counsel's attempts at contacting Ms. Niblock's sole survivor, her daughter, were unsuccessful. This Court attempted to provide the daughter with copies of Court orders, including the March 30, 2010 Order (Ct. Rec. 13), which advised that this action would be dismissed pursuant to Federal Rule of Civil Procedure 25(a)(1) if no motion to substitute in as a party for Ms. Niblock was made by May 17, 2010. Rule 25(a)(1) provides that if, after notice of a party's death, no motion is made to substitute as a party for the decedent by the decedent's successor or representative within ninety days from the date of the death notice, the action for the decedent must be dismissed. No motion has been filed.

1 Accordingly, pursuant to Rule 25(a)(1), **IT IS HEREBY ORDERED:**

2 1. This case shall be **DISMISSED**.

3 2. **Judgment** shall be entered in Defendants' favor.

4 3. This file shall be **CLOSED**.

5 **IT IS SO ORDERED.** The District Court Executive is directed to enter
6 this Order and provide a copy to counsel and Ms. Niblock's daughter,
7 Dimitrienne Lee, 21143 Hawthorne Blvd. #169, Torrance, CA 90503.

8 **DATED** this 2nd day of June 2010.

9
10 s/Edward F. Shea

EDWARD F. SHEA

11 United States District Judge
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